

## **FISCAL NOTE**

TO: Chief Clerk of the Senate  
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: February 23, 1996

SUBJECT: **HB 1994**

This bill, if enacted, will provide for the creation of a statewide telephone list of consumers who do not wish to be called by telemarketers. Consumers will contact the Division of Consumer Affairs in the Department of Commerce and Insurance to have their name added to the list which will be published quarterly. Any telemarketer who does business in this state will have to obtain the list from the division. Telemarketers cannot call names on the list. The department is authorized to charge a fee to telemarketers that reflects the cost of maintaining the registry.

The Department of Commerce and Insurance shall investigate complaints received concerning violations. The department or the attorney general may bring an action to impose a civil penalty not to exceed \$10,000 and to seek other relief as the court deems appropriate. The civil penalty shall be deposited in the general inspection trust fund if the proceeding was brought by the department or the consumer frauds trust fund if the proceeding was brought by the attorney general.

The fiscal impact from enactment of this bill is estimated to be a one-time increase in state expenditures of \$8,000 and a recurring increase in state expenditures of \$46,440. Details are shown below:

**Recurring Expenditures**

1 Consumer Protection Specialist 1	\$24,000	
Benefits	5,760	
Office Space Rental	1,680	
Travel	500	
Phone (toll free)	12,000	
Annual network cost	500	
Other (supplies, phone, equip.,etc.)	<u>2,000</u>	\$46,440

**One-Time Expenditures**

Computer/Printer	\$ 6,000	
Cubicle	<u>2,000</u>	<u>8,000</u>

Increase in State Expenditures		<u>\$54,440</u>
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Enactment of this bill is also estimated to result in an increase in state revenues to the Department of Commerce and Insurance of approximately \$50,000 from the collection of fees charged to telemarketers which reflects the cost of maintaining the registry.

State revenues are also estimated to increase due to the collection of civil penalties for violations. Since the number of penalties that will be assessed and collected is unknown, the increase in state revenues from this provision cannot be determined but is estimated to be not significant.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director